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4 IN THE UNITED STATES DISTRICT COURT  
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA

6 UNITED STATES OF AMERICA,

No. C 95-00428 SI

7 Plaintiff,

**ORDER TO SHOW CAUSE**

8 v.

9 JUANCARLOS ARÓSTEGUI,


10 Defendant.  
11 \_\_\_\_\_/

12 Juancarlos Aróstegui has filed a letter with this Court seeking to clear his FBI identification  
13 record of criminal charges dating back to November 1995. The government dismissed the indictment  
14 against Mr. Aróstegui in April 1996, but the dismissal was reflected on Mr. Aróstegui's FBI record only  
15 as of January 2010. Mr. Aróstegui states that despite the addition of the dismissal data to his record,  
16 he has been denied badge access to facilities he must visit as part of his job. Mr. Aróstegui asks the  
17 Court to expunge the arrest data from his record.

18 The Court knows of no authority permitting it to expunge arrest data from a person's record.  
19 The United States Attorney's Office is hereby ordered to show cause in writing, to be submitted no later  
20 than April 23, 2010, whether the arrest data may be formally cleared from Mr. Aróstegui's FBI record.  
21 At the time of the 1995 charges, Mr. Aróstegui was represented by Elliot Peters, and the Assistant  
22 United States Attorney responsible for his prosecution was Robert Crowe. This order will be served on  
23 Mr. Peters and Mr. Crowe in addition to the AUSA presently listed as the attorney to be noticed,  
24 Rodolfo Orjales.

25 **IT IS SO ORDERED.**

26  
27 Dated: April 6, 2010

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SUSAN ILLSTON  
United States District Judge